

1Fv AF

November 10, 2008



TO: Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

FROM: Stephen B. Ackerman, Reg. No. 37,761  
28 Davis Ave.  
Poughkeepsie, NY 12603

SUBJECT: Serial #: 10/781,000  
File Date: 02/18/2004  
Inventor: M. Dovek  
Title: CROSS TALK AND EME MINIMIZING SUSPENSION  
DESIGN  
Art Unit: 2627  
Examiner: William Joseph Klimowicz

## REPLY BRIEF

Dear Sir:

In response to the Examiner's Answer dated September 17, 2008,  
Final Rejection of Claims 1, 3-6, 19 and 21-24 dated November 27, 2007 and the  
Advisory Action Dated March 31, 2008 for the above-identified Application for  
Patent please accept this Reply Brief.

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the  
United States Postal Service as first class mail in an envelope addressed to:  
Commissioner for Patents, P.O. Box 1450, Arlington, VA 22313-1450 on  
November 17, 2008.

Name Stephen B. Ackerman, Reg. No. 37,761

Signature/Date

November 17, 2008

**Remarks/Arguments** begin on page 3 of this paper.

**REMARKS / ARGUMENTS**

The Examiner has unfairly introduced new arguments in his Examiner's Answer to the Applicant's Appeal Brief. The Examiner's new argument is specifically targeting the applicant's rigorous proof of the unexpected beneficial result that the noise produced by the magnetic recording assemblies is indeed completely canceled out by the mid-point crossing of the write lines as indicated by the rigorous equation analysis and result on page 12 of the instant application. The Examiner begins this new argument on page 5 paragraph 1 of the Examiner's Answer. Previous to the Examiner's Answer, the Examiner has not attempted to show that Murata's statement that the "magnetic fields are canceled equivalently" proves that the wires must be crossed at the midpoint, even though Murata never claims that the wires must cross at the midpoint. Using the Biot-Savart Law from Physics for the first time, the examiner attempts to use reverse reasoning to suggest that Murata intended to state that the wires must cross at their midpoints.

There are two points to be made about the new argument introduced by the Examiner. First, the Examiner believes it is necessary to use Murata's description to match the applicant's rigorous equation analysis and result on page 12 of the instant application. Second, the reverse reasoning used by the Examiner to prove that the wires must cross at the exact midpoint to cancel the

noise completely falls short of a complete proof. The Examiner's starts from the statement by Murata states that the magnetic fields are canceled equivalently, then uses the Biot-Savart Law to deduce that the wires must be equal and therefore the wires must cross at their midpoints. The fact that the magnetic fields cancel equivalently may not be an isolated fact. There may be other outside forces or secondary effects, which combined result in the magnetic fields canceling equivalently. Therefore, what the Examiner attempts to prove using reverse reasoning, must really be claimed explicitly. Therefore, a person skilled in the art cannot necessarily infer that if "a field negates mutually" that it will totally cancel the noise produced.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'SBA', with a long horizontal line extending to the right.

Stephen B. Ackerman, Reg. No. 37,761